

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA, ex rel.)
MATTHEW TULIN,) FILED UNDER SEAL
Plaintiff,) Civil Action No.: 3:14-cv-1295
v.) Judge Aleta A. Trauger
TENET HEALTHCARE CORPORATION; et.al.)
Defendants.)

RELATOR'S MOTION FOR VOLUNTARY DISMISSAL

Plaintiff-Relator Matthew Tulin (Estate of Matthew Tulin, deceased), by and through his /its undersigned counsel, respectfully moves pursuant to 31 U.S.C. § 3730(b)(1) and Federal Rule of Civil Procedure 41(a)(2) to voluntarily dismiss this action without prejudice to Plaintiff-Relator or the United States of America.

This case was filed under seal on behalf of the United States pursuant to the federal False Claims Act, 31 U.S.C. §§ 3730(b)(2) *et seq.* The federal False Claims Act requires the United States Attorney General to diligently investigate civil actions brought by *qui tam* relators like Mr. Tulin. *See* 31 U.S.C. § 3730(a). Pursuant to its investigation, the United States has informed Realtor's counsel that it will decline to intervene in this action. Accordingly, Plaintiff-Relator desires to voluntarily dismiss this case without prejudice to Relator or the United States. Relator has not served the Complaint on any of the Defendants.

This case may only be dismissed by order of the Court. *Compare* 31 U.S.C. § 3730(b), with Fed. R. Civ. P. 41 (plaintiff's right to voluntary dismissal is "[s]ubject to [...] any

applicable federal statute"). As such, Plaintiff-Relator respectfully moves the Court for an order of voluntary dismissal without prejudice. The United States has informed counsel for Relator that it will consent to this dismissal and entry of the proposed order of dismissal being submitted in conjunction with this motion.

In light of the foregoing, this motion should be granted.

Respectfully submitted,

/s/ Gerard Stranch, IV
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COUNSEL FOR RELATOR

CERTIFICATE OF SERVICE

I hereby certify that copies of Relator's Motion for Voluntary Dismissal and Proposed Order was served upon the following persons, this 13th day of January, 2016, via U.S. Mail, postage prepaid.

United States	
Jason Ehrlinspiel Assistant United States Attorney Middle District of Tennessee 110 9th Ave. South , Suite 961, Nashville, TN 37203 615-736-2132	

/s/ Gerard Stranch, IV